

REMARKS

Applicant requests favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Claims 1-19 were pending in the application and were rejected in the Office Action. By way of this amendment, Applicant: (a) canceled claims 9, 13, and 18 due to their being incorporated into independent claims 1, 12, and 16, respectively; and (b) amended claims 1, 4-8, 10, 12, 14, 16, and 17. Accordingly, claims 1-8, 10-12, 14-17, and 19 are respectfully presented for further consideration.

1. Objection to Claims 4-8, 13, and 14

The Examiner objected to claims 4-8, 13, and 14 for various formalistic reasons each of which has been fully obviated by way of the amendments made herein to claims 4-8 and 14 and by way of the cancellation of claim 13. In addition, Applicant respectfully notes the Examiner's suggestion with respect to claim 13 has been incorporated into claim 12, which now recites the limitations of claim 13. Finally, Applicant also respectfully notes that dependent claim 5 has been amended in manner somewhat different from that proposed by the Examiner but in a way that obviates the Examiner's concern.

2. Rejections of Claims 1-19 under 35 U.S.C. § 102(b)

Under 35 U.S.C. § 102(b), the Examiner rejected claims 1-19 as allegedly being anticipated by each of U.S. Patent Nos. 6,863,635 ("Tsuga-I") and 6,878,087 ("Tsuga-II") and by each of U.S. Patent Application Publication Nos. 2004/0014552 ("Ikeda") and 2004/0014549 ("Choi"). The Examiner implicitly noted that each of Tsuga-I, Tsuga-II, Ikeda, and Choi was filed in the U.S. after the priority date of the instant application and, therefore, that each of these references can be removed as § 102(e) prior art by filing a certified translation of the priority document, *i.e.*, JP 2002-207345, which was filed in Japan on July 16, 2002. In response to this rejection, Applicant has opted to file a certified translation of the priority document concurrently herewith. As the certified translation of the priority document supports each of the claims currently recited, each of the § 102(b) rejections is now moot and, therefore, should be withdrawn.

3. Rejection of Claims 1-8, 11, 12, 15, 16, and 19 under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-8, 11, 12, 15, 16, and 19 under 35 U.S.C. § 103(a) as allegedly being obvious when considering JP 7-317853 ("Sakamoto") in view of U.S. Patent No. 6,110,069 ("Taniguchi"). Without acquiescing to the propriety of this rejection,

Applicant has opted to amend independent claims 1, 12, and 16 to respectively recite the limitations of claims 9, 13, and 18, which were not rejected as being obvious when considering Sakamoto in view of Taniguchi. Accordingly, Applicant respectfully submits that, as amended, the combination of Sakamoto and Taniguchi can not be used to reject independent claims 1, 12, and 16, or any claim dependent thereon, under 35 U.S.C. § 103(a). Moreover, as claims 2-8 and 11 depend from claim 1, as claim 15 depends from claim 12, and as claim 19 depends from claim 16, each of these dependent claims is also allowable over the combination of Sakamoto and Taniguchi, without regard to the other patentable limitations recited therein. Accordingly, a withdrawal of the rejection of claims 1-8, 11, 12, 15, 16, and 19 under 35 U.S.C. § 103(a) is both warranted and respectfully requested.

4. Claims 10 and 17

Applicant respectfully notes that claims 10 and 17, like claims 9, 13, and 18, were not rejected under 35 U.S.C. § 103(a). Accordingly, to preserve the breadth of claims 10 and 17, each of these claims has been amended to be in independent claim format.

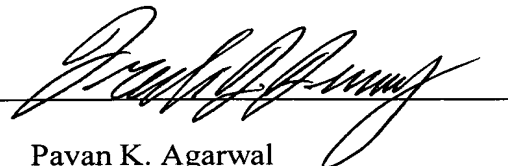
CONCLUSION

For the aforementioned reasons, claims 1-8, 10-12, 14-17, and 19 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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By



Customer Number: 22428
FOLEY & LARDNER LLP
3000 K Street, N.W.
Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

Pavan K. Agarwal
Registration No. 40,888

Frederic T. Tenney
Registration No. 47,131

Attorneys for Applicant

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED REGARDING THIS APPLICATION UNDER 37 C.F.R. §§ 1.16-1.17, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 19-0741. SHOULD NO PROPER PAYMENT BE ENCLOSED HERewith, AS BY A CHECK BEING IN THE WRONG AMOUNT, UNSIGNED, POST-DATED, OTHERWISE IMPROPER OR INFORMAL OR EVEN ENTIRELY MISSING, THE COMMISSIONER IS AUTHORIZED TO CHARGE THE UNPAID AMOUNT TO DEPOSIT ACCOUNT NO. 19-0741. IF ANY EXTENSIONS OF TIME ARE NEEDED FOR TIMELY ACCEPTANCE OF PAPERS SUBMITTED HERewith, APPLICANT HEREBY PETITIONS FOR SUCH EXTENSION UNDER 37 C.F.R. § 1.136 AND AUTHORIZES PAYMENT OF ANY SUCH EXTENSIONS FEES TO DEPOSIT ACCOUNT NO. 19-0741.